

JUDGE MICHAEL'S POLICY REGARDING ORDER FORMAT

We are now more than eighteen months into the world of electronic filing. As part of the practice, attorneys are electronically submitting proposed orders to the court. The various styles and forms of orders we receive could politely be referred to as a “hodge-podge” (I won't suggest any more colorful descriptions). As I bewailed the fact that every order seems to be in a different format, my staff politely reminded me that we had never put the word out as to what we were looking for. OK, here goes. Here is our wish list for electronically submitted orders:

1. Use WordPerfect or Microsoft Word format. DO NOT submit the orders in Acrobat .pdf format. The reason is simple: we cannot edit or attach our electronic signatures to a .pdf document. **IF YOU SEND US AN ORDER IN .pdf FORMAT, WE WILL SEND IT BACK UNSIGNED.**
2. Use 12 point font size. We get everything from 8 point (apparently from those lawyers who thing anything good must be written in fine print) all the way up to 15 or 16 point (for you middle-aged folks like me who need reading glasses but won't admit it). We use 12 point as our standard. I have yet to have anyone complain that they couldn't read an order in 12 point font (only that it was painful to do so).
3. DO NOT put a line for my signature on the proposed order. Our electronically generated signature includes the “BY THE COURT” and “UNITED STATES BANKRUPTCY JUDGE” signature styles. If you put them on, we have to take them off.
4. Double space the orders (except for indented collateral descriptions, such as real estate legal descriptions or vehicle identification numbers).
5. Use full justification of margins on your orders. It just looks cleaner.
6. Number the pages of the orders, except that no page number should appear on the first page.
7. One more thing. This goes more to the content of proposed orders than their format. Don't overreach. What I mean by that is: (1) don't put a bunch of factual findings in the order unless I actually made those factual findings; and (2) don't include relief in the proposed order which was not asked for in your motion (unless it has been agreed to by all affected parties). I do not want someone to take an order which I entered on notice and opportunity and argue to another court that collateral estoppel or issue preclusion applies to the factual findings stuck in the order. *(Remember, there is a difference in stating that the parties agree to a set of facts and that the Court has found those facts to exist)* I also think there is a due process problem when a proposed order asks for something that nobody was told about in the motion.

If you are willing to follow these simple rules, we will be happier (which is always a good thing) and you will get your orders entered more quickly. Thanks.